



APPLICATION ACCEPTED: May 27, 2014
BOARD OF ZONING APPEALS: October 29, 2014
TIME: 9:00 a.m.

County of Fairfax, Virginia

October 22, 2014

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-LE-081

LEE DISTRICT

APPLICANT: Shaista Mirza
Shaista's Daycare

OWNERS: Shaista Mirza
Mohammad K. Mirza

SUBDIVISION: Woodstone, Section 2

STREET ADDRESS: 6803 Blue Slate Court, Alexandria, 22306

TAX MAP REFERENCE: 92-2 ((30)) 398

LOT SIZE: 9,763 square feet

ZONING DISTRICT: R-5

ZONING ORDINANCE PROVISIONS: 8-305

SPECIAL PERMIT PROPOSAL: To permit a home child care facility.

STAFF RECOMMENDATION: Staff recommends approval of SP 2014-LE-081 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.



It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

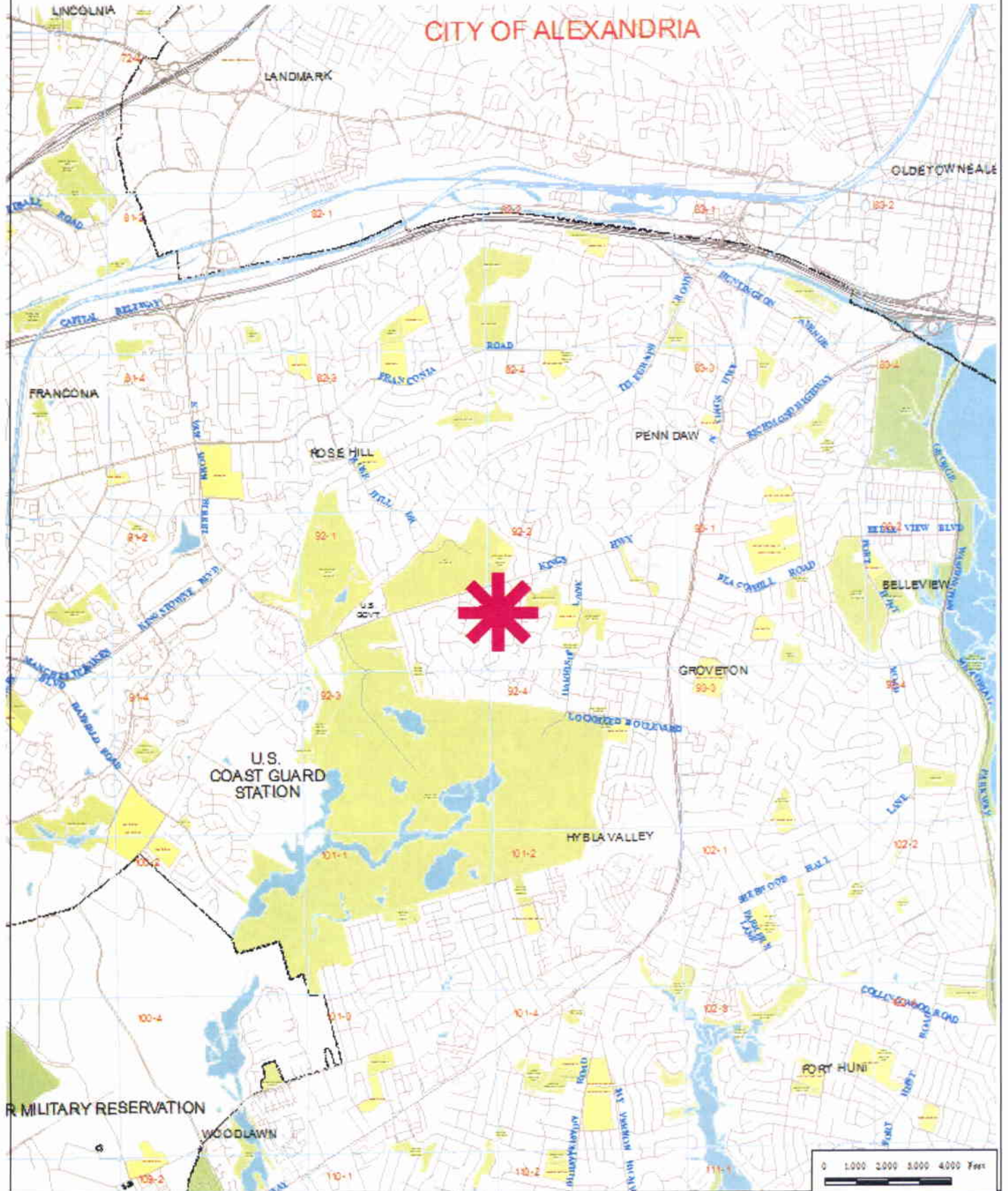


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

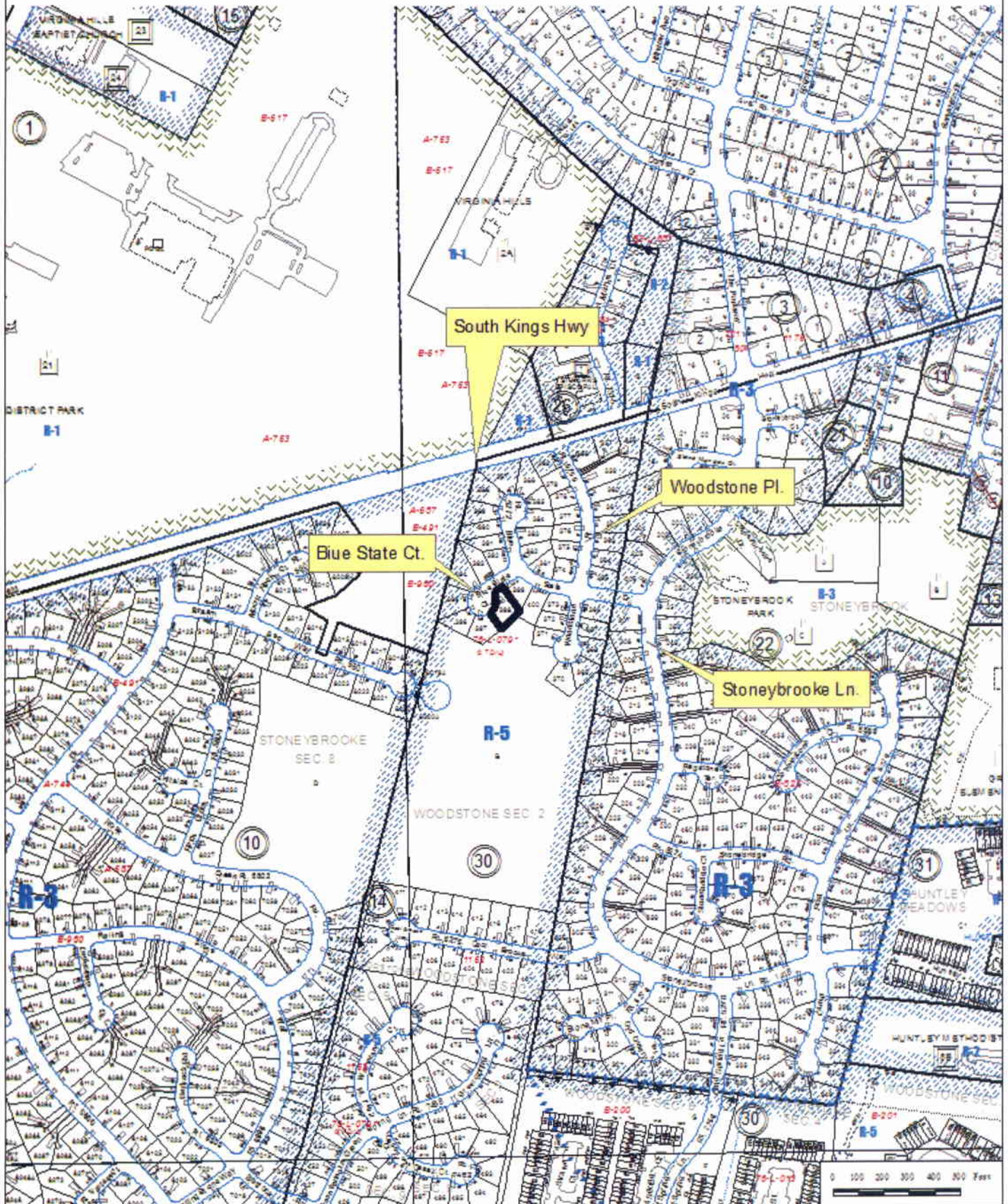
SP 2014-LE-081

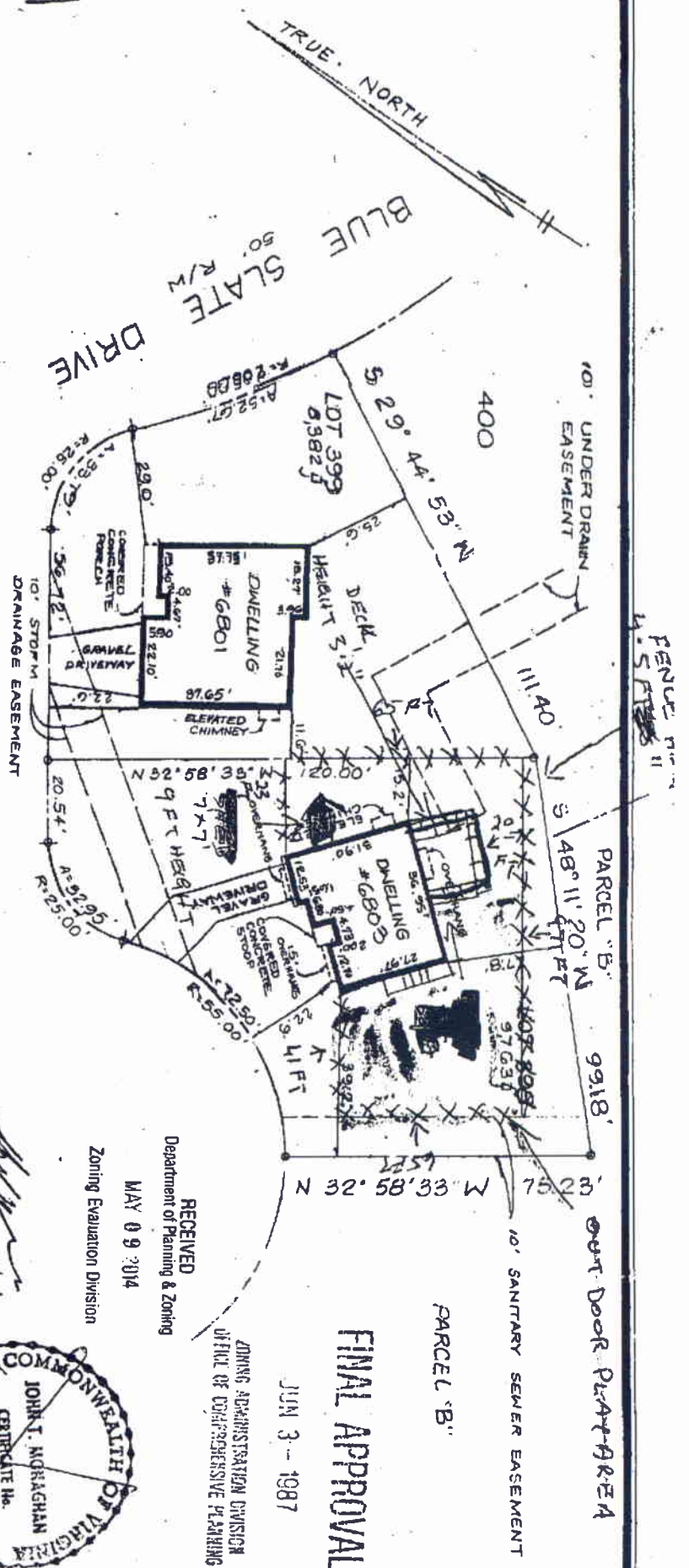
SHAISTA MIRZA / SHAISTA'S DAYCARE



Special Permit

SP 2014-LE-081
SHAISTA MIRZA / SHAISTA'S DAYCARE





NOTES: LOT CORRESPONDENCE TO SET AT COMPLETION OF SUBDIVISION CONSTRUCTION.

LOT	HOUSE CHECK	DATE	BY	REMARKS
398	1-6-87	CM/DH/	8-20-87	CM 10/10/87
399	1-6-87	CM/DH/	8-20-87	CM 10/10/87

THIS HOUSE LOCATION SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINER AND DOES NOT PURPORT TO REFLECT ALL EASEMENTS, ENCUMBRANCES OR OTHER CIRCUMSTANCES AFFECTING THE TITLE TO THE SUBJECT PROPERTY AND IS NOT INTENDED TO BE USED AS A BASIS FOR THE CONSTRUCTION OF FENCES OR OTHER IMPROVEMENTS.

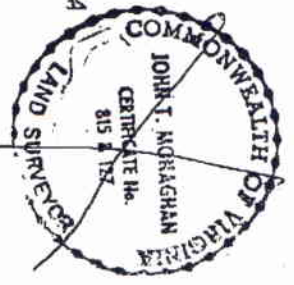
REFERENCE:
 08.6472 PG. 1937

DEWBERRY & DAVIS
 ENGINEERS-ARCHITECTS-SURVEYORS-PLANNERS
 6401 ARLINGTON BOULEVARD, FAIRFAX, VIRGINIA

LEE DISTRICT, FAIRFAX COUNTY, VIRGINIA
 SCALE: 1"=30'

HOUSE LOCATION
 LOTS 398, 399 SECTION 2
 WOODSTONE

5/8/14
 MOHAMMAD MIRZA



RECEIVED
 Department of Planning & Zoning
 MAY 09 2014
 Zoning Evaluation Division

PLANNING DIVISION
 OFFICE OF COMPREHENSIVE PLANNING

JUN 3 - 1987

FINAL APPROVAL

PARCEL "B"

OUT-DOOR PLAY AREA



Shaista Mirza
6803 Blue Slate Ct.
Alexandria, VA 22306-1359

FRONT OF THE HOUSE



Shaista Mirza
6803 Blue Slate Ct.
Alexandria, VA 22306-1359



Shaista Mirza
6803 Blue Slate Ct.
Alexandria, VA 22306-1359





Shaista Mirza
6803 Blue Slate Ct
Alexandria, VA 22306-1359






Shaista Mirza
6803 Blue Slate Ct.
Alexandria, VA 22306-1359



Shaista Mirza
6803 Blue Slate Ct.
Alexandria, VA 22306-1359



Shadia Mirza
6803 Blue State Ct.
Alexandria, VA 22306-1359





Shaista Mirza
6803 Blue State Ct
Alexandria, VA 22306-1399



SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children.

A copy of the special permit plat titled, "House Location Lots 398, 399, Section 2, Woodstone," prepared by John T. Monaghan L.S., as revised by Mohammad Mirza on May 8, 2014, is included in the front of the staff report.

A more detailed description of the proposal is provided on page two.

CHARACTER OF THE SITE AND SURROUNDING AREA

The site is developed with a single family detached dwelling. A covered concrete stoop is located to the northwest of the dwelling. A set of concrete stairs which access the basement are located to the west of the dwelling. A 9 foot high shed is located to the east of the dwelling. A wooden deck is located to the south of the dwelling. An asphalt driveway and concrete walkway are located to the north of the dwelling. A 4.5 foot high fence encloses the rear yard. The property is relatively flat and has mature trees to the north of the dwelling.

The property is south of South Kings Highway and west of Stoneybrooke Lane.

Two 10 foot wide sanitary sewer easements are located on the property; one along the western property line and the other in the front yard of the property. A 10 foot underdrain easement is located to the east of the dwelling.

	Zoning	Use
North	R-5	Single Family Detached Dwelling
East	R-5	Single Family Detached Dwelling
South	R-5	Open Space, owned by Woodstone HOA
West	R-5	Single Family Detached Dwelling



BACKGROUND

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1987 and purchased by the applicant in 2001.

On January 26, 2009 a building permit was approved for the construction of a new exterior stairway to the basement on the western side of the dwelling (Appendix 4).

Records indicate that no other special permit applications relating to a home child care facility have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

DESCRIPTION OF THE PROPOSED USE

The applicant is requesting approval of a special permit for a home child care facility for up to 12 children on-site at any one time between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday. The children arrive between 7:00 a.m. and 9:15 a.m. and depart between 4:00 p.m. and 5:15 p.m. There are two full-time assistants.

The applicant holds a current Family Day Home License, approved for one year and valid through August 19, 2015 from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of 12 children, birth through 4 years, 11 months of age and is included in Appendix 5.

The home child care facility is operated in the basement and the kitchen on the main level of the dwelling. The child care facility contains one large play room which is also used as a nap room, a bathroom and a smaller play room. The nap room has adequate emergency egress provided by a doorway and stairwell to the side yard. A fenced rear yard is provided as an outdoor play area for the children. Pictures provided by the applicant show toys and play equipment located in this area. The deck is not used as part of the home child care.



ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Rose Hill Planning District
Planning Sector: Huntley Meadows Community Planning Sector (RH-7)
Plan Map: Residential, 3-4 dwelling units/acre

Zoning Ordinance Requirements

- Sect. 8-006 General Special Permit Standards
- Sect. 8-303 All Group 3 Uses
- Sect. 8-305 Additional Standards for Home Child Care Facilities
- Sect. 10-103 Par. 6 Location Regulations

This special permit is subject to the sections of the Zoning Ordinance outlined above, a copy of which is included as Appendix 7. Subject to development conditions, this special permit must meet these standards.

On-site Parking and Site Circulation

Vehicular access to the site is provided from Blue Slate Court. The parents and children use the driveway and front entrance of the dwelling to access the home child care center in the basement.

The existing driveway appears to be able to accommodate two vehicles. The applicant also has a one-car garage, in which they park their personal vehicle. The applicant currently has two assistants who are dropped off and do not drive to the site. Therefore, the driveway has approximately two spaces available to be used for drop-off and pick-up of children. Additional on-street parking is available.

Staff believes sufficient parking exists in the driveway to accommodate the pick-up and drop-off of children for the home child care use.

Zoning Inspection Analysis (Appendix 6)

During the inspection of the home child care Zoning Inspection staff found that the basement door with access to the side yard has a dual keyed deadbolt lock. The applicant has been made aware of this concern and has changed the lock.

CONCLUSION

Staff believes that the subject application is in conformance with the applicable Zoning Ordinance provisions with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

RECOMMENDATION

Staff recommends approval of SP 2014-LE-081 for the home child care facility with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Building Permit History
5. State Home Child Care License
6. Zoning Inspection Branch Site Visit Comments
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-LE-081****October 22, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-LE-081 located at Tax Map 92-2 ((30)) 398 to permit a home child care facility pursuant to Section 8-305 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, Shaista Mirza and Shaista's Daycare, and is not transferable without further action of the Board, and is for the location indicated on the application, 6803 Blue Slate Court, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat titled, "House Location Lots 398, 399, Section 2, Woodstone," prepared by John T. Monaghan L.S., as revised by Mohammad Mirza on May 8, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit **SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE PROPERTY** of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. The maximum number of children on site at any one time shall be twelve, excluding the applicant's own children.
7. The maximum number of assistants for the home child care shall be two.
8. All pick-up and drop-off of children shall take place in the driveway.
9. A minimum of two parking spaces shall be provided on the subject parcel within the areas of existing paving for the pick-up and drop-off of children.
10. There shall be no signage associated with the home child care facility.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s): SP 2014-LE-081
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05/03/2014
 (enter date affidavit is notarized)

I, SHAISTA MIRZA, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) ☒ applicant
☐ applicant's authorized agent listed in Par. 1(a) below

124591

and that, to the best of my knowledge and belief, the following is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
SHAISTA MIRZA	6803 BLUE SLATE CT. ALEXANDRIA, VIRGINIA 22306	APPLICANT/TITLE OWNER
MOHAMMAD K. MIRZA	" " "	TITLE OWNER
SHAISTA'S DAYCARE	" " "	BUSINESS

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

- * In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

CAB

Application No.(s):

SP 2014-LE-081

(county-assigned application number(s), to be entered by County Staff)

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05/03/2014
(enter date affidavit is notarized)

124591

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

NA

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

NA

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

SP 2014-LE-081
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05/03/2014
(enter date affidavit is notarized)

124591

- 1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

N A

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

SP 2014-LE-081

(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05/05/2014
(enter date affidavit is notarized)

124591

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s):

SP 2014-LE-081
(county-assigned application number(s), to be entered by County Staff)

Page Five

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05/03/2014
(enter date affidavit is notarized)

124591

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

☒ Applicant

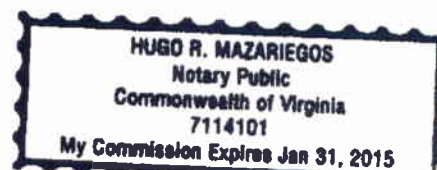
[] Applicant's Authorized Agent

SHAISTA MIRZA TITLE OWNER
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 3rd day of May, 2014, in the State/Comm. of VA, County/City of Fairfax.

Hugo R. Mazariegos
Notary Public

My commission expires: January 31, 2015



CAB

Shaista Mirza
6803 Blue Slate Court
Alexandria, VA 22306
703-660-1688
shaistamirza@cox.net

RECEIVED
Department of Planning & Zoning
FEB 28 2014
Zoning Evaluation Division

January 13th, 2014

Fairfax Country Department of Planning & Zoning
Zoning Evaluation Division

12055 Government Center Parkway, Suite 801

Fairfax VA, 22305

Re: Special Permit Application

Applicant: Shaista Mirza

Zoning Ordinance Section 8-305 for Home Child Care Facility and
Section 8-004 of General Standards

Tax Map #: 0922 30 0398

Zoning District: R-5

Lot Size: 9,763 square feet

To whom it may concern,

Please accept the following statement of justification for a special permit for a home child care facility in my home. I own and live in a single family detached dwelling at 6803 Blue Slate Court in Alexandria Virginia with my husband and three children. The property is zoned R-5 and I understand I need to seek approval of a special permit in order to operate our childcare facility with my home. I am currently licensed by the state of Virginia to have 12 children in my child care facility in my home. Below is the information about my child care facility's operations:

Hours: The child care is open from 7:00 AM to 6:00 PM, Monday through Friday

Number of Children: I care for up to 12 children at any one time. This number does not include my own three children.

Employees: I have two assistants who work full-time.

Arrival Schedule: Four of the children arrive between 7:00 AM and 7:45 AM. Two children arrive between 7:45 AM and 8:00 AM. Three children arrive between 8:00 AM and 8:30 AM. Three children arrive between 8:30 AM and 9:15 AM.

Departure Schedule: Three children are picked up between 4:00 PM and 4:30 PM. Three children are picked up between 4:30 and 4:45 PM. Three children are picked up between 4:45 PM to 5:15 PM. Three children are picked up between 5:15 PM and 5:30 PM. (See attachment 1)

Area Served: Currently, most of the children live in the general vicinity of my neighborhoods. Many of the children live in neighborhoods off South Kings Highway and Telegraph Road. These parents drive their children to my house.

Operations: As I stated, my house is a single family detached dwelling. The basement is where the children spend most of their time. The basement includes a walk-out. Attached is a floor plan that indicates the areas where the daycare is located. The house has 1,691 square feet. The basement area where I conduct the daycare consists of approximately 846 square feet (see floor plan attachment and interior photos).

Hazardous and Toxic Substances: The house and yard are free from hazardous or toxic substances. No hazardous material will be generated, utilized, stored, treated and/or disposed of onsite.

Zoning Ordinance Compliance: The proposed development conforms to the provisions of all applicable ordinances, regulations and adopts standards or, if any waiver, exceptions or variance is sought, such request has been specifically noted with the justifications for such modifications.

Outdoor Play Area: I use my backyard for outdoor play for the children. The area is approximately 7,000 square feet. There is a sandbox, playhouse, and playground set surrounded by a fence.

Parking: I use my garage to park my family car. My driveway provides enough parking for two cars. In addition, ample parking is available along the cul-de-sac in front of my house for parents.

In conclusion, I am proposing no changes to the outside appearance in my vinyl sided home. I propose no addition and no signs regarding the daycare. Adequate parking is available for my parents and my family. For these reasons, I believe with my proposed home daycare facility will not impact any neighbor in any negative way.

Sincerely,

Shaista Mirza

Owner of Shaista's Daycare

STATEMENT OF JUSTIFICATION
FOR A HOME CHILD CARE FACILITY

Name: SHAISTA MIRZA
Address: 6803 BLUE SLATE CT.
ALEXANDRIA VA 22306
Phone #: (703) 660-1688
E-mail: Shaistamirza@cox.net

Date 1/14/14

Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

RECEIVED
Department of Planning & Zoning
FEB 28 2014
Zoning Evaluation Division

Re: Special Permit Application

Applicant: _____
Zoning Ordinance Section 8-305 for Home Child Care Facility
Section 8-004 of General Standards

Tax Map #: 0922 30 0398
Zoning District: R-5
Lot Size: 9,763 Square feet

To whom it may concern,

Please accept the following as my statement of justification for a special permit for a home child care facility in my home. I own and live in a attached (detached (circle one)) dwelling at 6803 BLUE SLATE CT. ALEXANDRIA, VA 22306 (your address). The property is zoned R-5 and I understand I need to seek approval of a special permit in order to operate a child care facility within my home. I am currently licensed by the State of Virginia to have 12 children in my child care facility in my home. Below is information about my child care facility's operations:

Hours. The child care is open from 7 AM TO 6:00 PM

Number of Children. I care for up to 12 children at any one time. This number does not include my own 3 child/children.

Employees. I have 2 assistant(s) who work part-time and 0 assistant(s) who work full-time.

Arrival Schedule. 12 of the children arrive between 7:00 AM and 9:15 AM.

Departure Schedule. 12 of the children are picked up at 4:00 PM. and 5:15 PM

Area Served. NEIGHBORHOODS OFF SOUTH KINGS HIGHWAY AND TELEGRAPH ROAD
(what neighborhood/general area do the children live in?)

Operations. As I stated, my house is a single-family attached / detached (circle one) dwelling. It has (explain the general layout of the house):

3 Level

The house has 1,691 square feet. The following rooms are where I conduct the day care:

BASEMENT
These rooms are 846 square feet total.

Hazardous or Toxic Substances. The house and yard are free from hazardous or toxic substances. No hazardous materials will be generated, utilized, stored, treated, and/or disposed of onsite.

Zoning Ordinance Compliance. The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought, such request has been specifically noted with the justification for such modification.

Outdoor Play Area. I use my BACK yard for outdoor play for the children. The area is approximately 7,000 square feet. The outdoor play area consists of: SANDBOX,
PLAY HOUSE AND PLAYGROUND SET SURROUNDED BY A FENCE

Parking. I use my GARAGE to park my family car(s). My parents park ON
DRIVEWAY AND AMPLE PARKING IS AVAILABLE ALONG THE
CUL-DE-SAC IN FRONT OF MY HOUSE

For these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

In conclusion, I am proposing NO CHANGES TO THE OUTSIDE APPEARANCE IN
MY VINYL SIDED HOME.

ADEQUATE PARKING IS AVAILABLE FOR MY PARENTS AND MY
FAMILY. I BELIEVE WITH MY PROPOSED HOME DAYCARE FACILITY
WILL NOT IMPACT ANY NEIGHBOR IN ANY NEGATIVE WAY.

Sincerely,

SHAISTA MIRZA

Owner of SHAISTA'S DAYCARE

BUILDING PERMIT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICE
PERMIT APPLICATION CENTER
 13655 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-5504
 Telephone: 703-222-0801
 Web site: <http://www.co.fairfax.va.us/dpwos>

Fill in all appropriate information in this column
 (Please print or type)

JOB LOCATION

ADDRESS 1000 N. ...
 LOT # ... BUILDING ...
 FLOOR ... SUITE ...
 SUBDIVISION ...
 TENANT'S NAME ...

OWNER INFORMATION OWNER ☐ TENANT ☐
 NAME ...
 ADDRESS ...
 CITY ... STATE VA ZIP 22037
 TELEPHONE ...

CONTRACTOR INFORMATION SAME AS OWNER ☐
 CONTRACTORS MUST PROVIDE THE FOLLOWING

COMPANY NAME ...
 ADDRESS ...
 CITY ... STATE ... ZIP ...
 TELEPHONE ...
 STATE CONTRACTORS LICENSE # ...
 COUNTY BPOL # ...

APPLICANT ...

DESCRIPTION OF WORK

...

HOUSE TYPE ...
 ESTIMATED COST OF CONSTRUCTION 1500.00
 BLDG AREA (SQ FT OF FOOTPRINT) ...
 USE GROUP OF BUILDING ...
 TYPE OF CONSTRUCTION ...
 SEWER SERVICE PUBLIC ☐ SEPTIC ☐ OTHER ☐
 WATER SERVICE PUBLIC ☐ WELL ☐ OTHER ☐
 OTHER PLEASE SPECIFY ...

DESIGNATED MECHANICS' LIEN AGENT

(Residential Construction Only)
 NAME ...
 ADDRESS ...

NONE DESIGNATED ☐ PHONE ...

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS

KITCHENS ... EXTER. WALLS ...
 BATHS ... INTER. WALLS ...
 HALF BATHS ... ROOF MATERIAL ...
 BROOMS ... FLOOR MATERIAL ...
 ROOMS ... FIN. BASEMENT ... %
 RIES ... HEATING FUEL ...
 'NG HEIGHT ... HEATING SYSTEM ...
 'NG AREA ... # FIREPLACES ...
 NT ...

Information and/or stamps on the reverse side of this form are a
 application and must be complied with. I hereby certify that I
 of the owner to make this application, that the information is
 correct, and that the construction and/or use will conform to
 do, the zoning ordinance and other applicable laws and
 ch relate to the property.

Owner or Agent

Date

Printed Name and Title

Signature is required if owner is listed as the contractor
 and is not present at time of application)

PERMIT #

90260207

FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY

PLAN # ...
 TAX MAP # 0922-30-0398

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	1-26-09	...
SITE PERMITS	1-26-09	...
HEALTH DEPT.		
BUILDING REVIEW	1-26-09	...
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE \$...
 FILING FEE - \$...
 AMOUNT DUE = \$ 65.00

BUILDING PLAN REVIEW
 REVIEWER ... # OF HOURS ...
 REVISION FEES \$...
 FIRE MARSHAL FEES \$...
 FIXTURE UNITS ... PLAN LOC: J ☐ R ☐

APPROVED FOR ISSUANCE OF BUILDING PERMIT
 (LOG OUT)
 BY ... DATE 1/26/09

ZONING REVIEW
 USE SFD
 ZONING DISTRICT R-5 HISTORICAL DISTRICT No
 ZONING CASE # ...

GROSS FLOOR AREA OF TENANT SPACE
 YARDS: ...
 FRONT N/C 20'
 FRONT ...
 L SIDE N/C
 R SIDE 39.5'
 REAR 28'
 GARAGE 1 ☐ 2 ☐ 3 ☐
 OPTIONS YES ☐ NO ☐
 REMARKS Build arwayway
3'x16'
Hardrail 3' above ground

GRADING AND DRAINAGE REVIEW
 SOILS # ... A ☐ B ☐ C ☐
 AREA TO BE DISTURBED (TOTAL SQ FT THIS PERMIT) ...
 IMPERVIOUS AREA (TOTAL SQ FT THIS PERMIT) ...
 PLAN # ... APPR. DATE ...

STAMPS
 (See reverse side of application)

REMARKS
...

NOTARIZATION (If required)

State (or territory or district) of ...
 County (or city) of ... to wit:

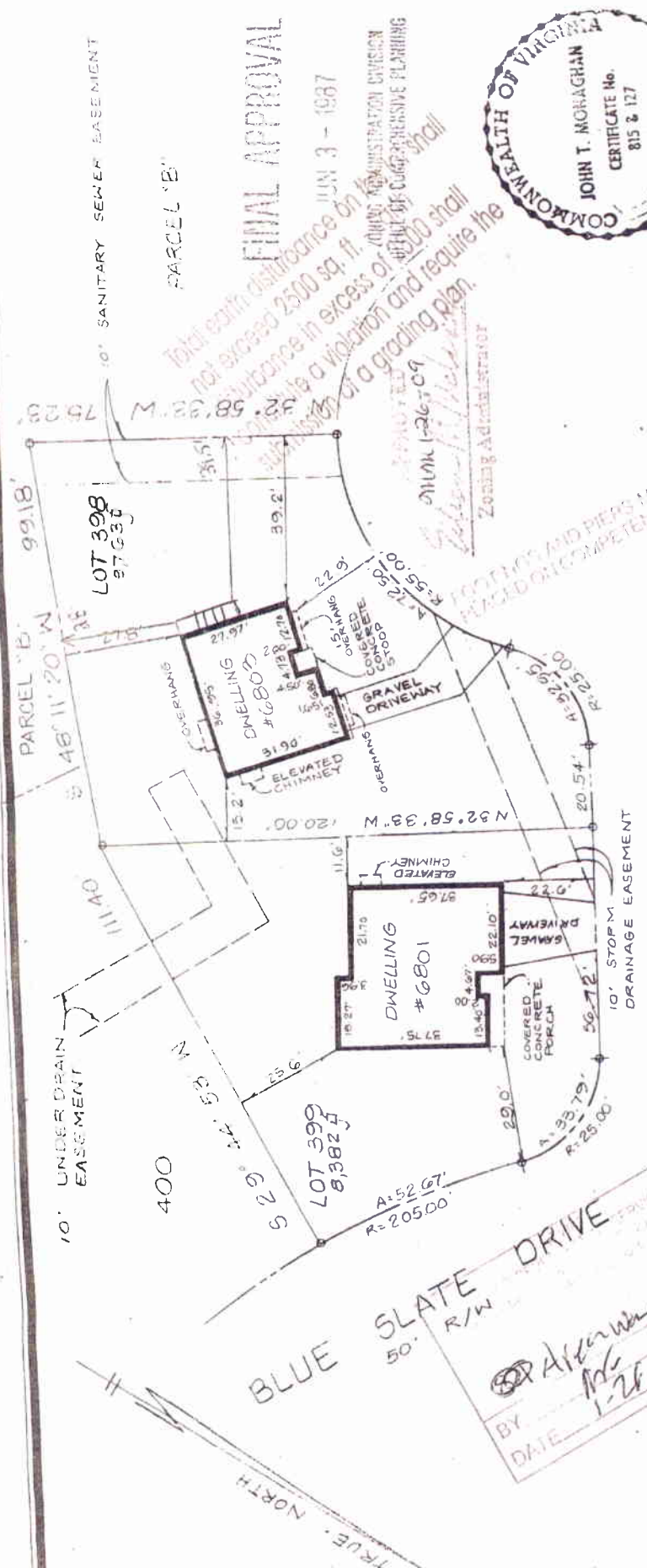
I, ...
 a Notary Public in the State and County aforesaid, do certify that

whose name is signed to this application, appeared before me in the State and County
 aforesaid and executed this affidavit.

Given under my hand this ... day of ... 20 ...

My commission expires the ... day of ... 20 ...

(Notary Signature)



FINAL APPROVAL

JUN 3 - 1987



BLUE SLATE COURT
50' R/W

HOUSE LOCATION
LOTS 398, 399 SECTION 2

WOODSTONE

LEE DISTRICT, FAIRFAX COUNTY, VIRGINIA
SCALE: 1"=30'

DEWBERRY & DAVIS
ENGINEERS - ARCHITECTS - SURVEYORS - PLANNERS
8401 ARLINGTON BOULEVARD, FAIRFAX, VIRGINIA

DATE	BLOCK	RECEIVED	BY
LOT 398	1-6-87	CM 10-74	
LOT 399	1-6-87	CM 10-74	
LOT 398	2-20-87	CM 10-74	
LOT 399	2-20-87	CM 10-74	

THIS HOUSE LOCATION SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO REFLECT ALL EASEMENTS, ENCUMBRANCES OR OTHER CIRCUMSTANCES AFFECTING TITLE TO THE SUBJECT PROPERTY AND IS NOT INTENDED TO BE USED AS AN AID FOR THE CONSTRUCTION OF FENCES OR OTHER IMPROVEMENTS.

NOTES: LOT CORNERS TO BE SET AT COMPLETION OF SUBDIVISION CONSTRUCTION.

BY: *Atkinson*
DATE: *1-26-89*

BLUE SLATE DRIVE
50' R/W



Search for Child Day Care

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Shaista Mirza

6803 Blue Slate Court
ALEXANDRIA, VA 22306
(703) 660-1688

Facility Type: [Family Day Home](#)

License Type: [One Year](#)

[Expiration Date](#): Aug. 19, 2015

Business Hours: Monday - Friday

Capacity: 12

Ages: Birth - 4 years 11 months

Inspector: Anailim Dally
(703) 359-6738



County of Fairfax, Virginia

MEMORANDUM

DATE: September 2, 2014

TO: Laura Gumkowski, Staff Coordinator
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning

FROM: Chuck Cohenour
Senior Zoning Inspector
Zoning Inspections Branch

SUBJECT: Home Child Care Application

APPLICANTS: Shaista Mirza
6803 Blue Slate Court, Alexandria, Virginia 22306
Woodstone, Section 2, Lot 398
Tax Map Ref #: 92-26((20)) 398
Zoning District: R-5
Mail Log Assignment: 2014-LE-0357

*KEY: A "✓" mark in a box indicates that the item was deficient.
An unmarked box indicates that no violation was found.*

- ☐ Rooms used for sleeping must provide two means of exit, one which leads directly to the outside, as required by the Virginia Uniform Statewide Building Code. (32-12-30.)

The smoke detector was in working condition but was not secured to the ceiling. The device protruded through a panel in the drop ceiling and fell out of the ceiling during testing.

- ☐ An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
- ☐ All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.
- ☒ All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.

- The basement egress door has a dual keyed dead bolt lock.

- ☐ Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.
- ☐ Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.
- ☐ A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.
- ☐ Structures comply with the Zoning Ordinance.

8-006

General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

8-305

Additional Standards for Home Child Care Facilities

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.
4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
 - A. The dimensions, boundary lines and area of the lot or parcel.
 - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
 - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
 - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

Sect. 10-103 Use Limitations

6. The following use limitations shall apply to home child care facilities:

A. The maximum number of children permitted at any one time shall be as follows:

- (1) Seven (7) when such facility is located in a single family detached dwelling.
- (2) Five (5) when such facility is located in a single family attached, multiple family or mobile home dwelling.

The maximum number of children specified above shall not include the provider's own children.

B. A home child care facility shall be operated by the licensed or permitted home child care provider within the dwelling that is the primary residence of such provider, and except for emergency situations, such provider shall be on the premises while the home child care facility is in operation. Notwithstanding the above, a substitute care provider may operate a home child care facility in the absence of the provider for a maximum of 240 hours per calendar year.

C. There shall be no exterior evidence, including signs, that the property is used in any way other than as a dwelling, except that play equipment and other accessory uses and structures permitted by this Part shall be allowed.

D. In addition to the persons who use the dwelling as their primary residence, one (1) nonresident person, whether paid or not for their services, may be involved in the home child care use on the property, provided that there is only one (1) such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.

E. Notwithstanding the provisions of Par. B above, a child care provider may care for the maximum number of children permitted in Par. A above in a dwelling other than the provider's own, as long as the dwelling is the primary residence of at least one of the children being cared for by the provider. Such child care provider shall comprise the one nonresident person allowed under Par. D above.

F. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

G. An increase in the number of children permitted under Par. A above or the involvement of more than one nonresident person as permitted under Par. D above may be permitted in accordance with the provisions of Part 3 of Article 8.